United Nations A/49/PV.103

General Assembly

Forty-ninth Session

Official Records

103rd Meeting
Wednesday, 24 May 1995, 10 a.m.
New York

President: Essy ..... (Côte d'Ivoire)

The meeting was called to order at 10.40 a.m.

Agenda item 112 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations

Article 19 of the Charter (A/49/838/Add.2)

The President (*interpretation from French*): In a letter contained in document A/49/838/Add.2, the Secretary-General informs me that, since the issuance of his communications dated 26 January 1995 (A/49/838/Add.1) and 28 February 1995 (A/49/838/Add.1), Haiti has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 44 (*continued*)

Commemoration of the fiftieth anniversary of the United Nations in 1995:

(a) Report of the Preparatory Committee for the Fiftieth Anniversary of the United Nations (A/49/48/Add.1)

(b) Draft resolution (A/49/48/Add.1, para. 4

The President (*interpretation from French*): Members will recall that, at its 55th plenary meeting held on 9 November 1994, the General Assembly adopted resolutions 49/11 and 49/12 under agenda item 44.

The Assembly now has before it the report of the Preparatory Committee for the Fiftieth Anniversary of the United Nations circulated in document A/49/48/Add.1. In this connection, the Assembly has before it a draft resolution contained in paragraph 4 of that report.

At the request of the Chairman of the Preparatory Committee and in view of the desire of the Members to dispose of this item expeditiously, I should like to consult the Assembly with a view to proceeding immediately to consider the draft resolution contained in document A/49/48/Add.1. In this connection, since the draft resolution was circulated only this morning it would be necessary to waive the relevant provision of rule 78 of the rules of procedure, which reads as follows:

> "As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

Unless I hear any objections, I shall take it that the General Assembly agrees with this proposal.

It was so decided.

95-85507 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Section, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

The President (*interpretation from French*): I now request Mr. Zbigniew Wlosowicz, one of the Vice-Chairmen of the Preparatory Committee for the Fiftieth Anniversary of the United Nations, to introduce the Committee's report.

Mr. Wlosowicz (Poland), Vice-Chairman of the Preparatory Committee for the Fiftieth Anniversary of the United Nations: On behalf of the Bureau of the Preparatory Committee, I should like to introduce the report of the Committee contained in document A/49/48/Add.1 of 23 May 1995.

Members will recall that the Preparatory Committee has been considering the organization of the list of speakers. This has been the subject of extensive consultations of the Committee. It is my honour today to introduce the Committee's recommendation to the General Assembly that it should adopt the following draft resolution:

> *"Organization of the list of speakers for the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations*
>
> "*The General Assembly*,
>
> "*Recalling* its resolution 48/215 B of 26 May 1994, in which it decided to convene a special commemorative meeting on the occasion of the fiftieth anniversary of the entry into force of the Charter of the United Nations, to be held at United Nations Headquarters from 22 to 24 October 1995,
>
> "*Also recalling* paragraph 8 of the report of the Preparatory Committee for the Fiftieth Anniversary of the United Nations, in which the modalities for inviting Palestine and, if they so request, other observers to attend the Special Commemorative Meeting were agreed upon,
>
> "1. *Decides* that the Special Commemorative Meeting shall be held for a total of six meetings on the basis of two meetings a day;
>
> "2. *Also decides* that the list of speakers for the Special Commemorative Meeting shall be organized in accordance with the procedure set forth in the annex to the present resolution."

"ANNEX

"Organization of the list of speakers for the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations

"1. The list of speakers for the Special Commemorative Meeting will be established on the basis of six meetings, each meeting having 25 speaking slots with the exception of the meeting on Tuesday, 24 October 1995, in the afternoon, which will have 60 speaking slots.

"2. The first speaker in the Special Commemorative Meeting will be the Head of State of the host country of the Organization.

"3. The list of speakers for the Special Commemorative Meeting will be initially established as follows:

"(a) The Secretary-General or his representative will draw one name from a box containing the names of all Member States, observer States and Palestine, in its capacity as observer, participating in the Special Commemorative Meeting. This procedure will be repeated until all names have been drawn from the box, thus establishing the order in which participants will be invited to choose their meetings and select their speaking slots;

"(b) Six boxes will be prepared, each one representing a meeting and each one containing numbers corresponding to speaking slots at that meeting;

"(c) Once the name of a Member State, observer State or Palestine in its capacity as observer has been drawn by the Secretary-General or his representative, that Member State, observer State or Palestine in its capacity as observer, will be invited to first choose a meeting and then draw from the appropriate box the number indicating the speaking slot in the meeting;

"(d) A number of speaking slots at each meeting will be reserved for observers participating in the Special Commemorative Meeting. They will be invited to participate in the initial establishment of the list of speakers in the same manner as

Member States, observer States and Palestine, in its capacity as observer, but from a different set of six boxes.

"4. The establishment of the initial list of speakers for the Special Commemorative Meeting as outlined in paragraph 3 of the present annex will take place at a meeting of the Preparatory Committee for the Fiftieth Anniversary of the United Nations to be held on 7 June 1995.

"5. Subsequently, the list of speakers for each meeting will be rearranged in accordance with the established practice of the General Assembly when organizing each category of speakers, following the order resulting from the selection process outlined in paragraph 3 of the present annex:

"(a) Heads of State will thus be accorded first priority, followed by vice-presidents, crown princes/princesses, heads of government, the highest ranking official of the Holy See and Switzerland as observer States and Palestine in its capacity as observer, ministers, permanent representatives and other observers;

"(b) In the event that the level at which a statement is to me made is subsequently changed, the speaker will be moved to the next available speaking slot in the appropriate category at the same meeting;

"(c) Participants may arrange to exchange their speaking slots in accordance with the established practice of the General Assembly;

"(d) Speakers who are not present when their speaking turn comes will be automatically moved to the next available speaking slot within their category.

"6. In order to accommodate all speakers at the Special Commemorative Meeting, statements should be limited to five minutes, on the understanding that this will not preclude the circulation of more extensive texts.

"7. The full text of all speeches provided to the Special Commemorative Meeting will be subsequently published in a bound book."

On behalf of the Preparatory Committee, I should like to express my appreciation to all members of the Committee for their cooperation in producing this draft resolution, which has been adopted unanimously by the Preparatory Committee and which I recommend for adoption by the General Assembly this morning.

The President (*interpretation from French*): The Assembly will now take a decision on the draft resolution entitled "Organization of the list of speakers for the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations", which is contained in paragraph 4 of the report of the Preparatory Committee (A/49/48/Add.1). May I take it that the Assembly decides to adopt the draft resolution?

The draft resolution was adopted (resolution 49/12 B).

The President (*interpretation from French*): Before calling on the first speaker in explanation of position, may I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

I shall now call on those representatives who wish to explain their positions on the resolution just adopted.

Mr. Jacob (Israel): Israel is looking forward to the fiftieth anniversary of the United Nations. With regard to the resolution just adopted, we understand that this document does not represent any change in the status of the Palestine Liberation Organization as an observer organization within the United Nations system.

Mr. Birenbaum (United States of America): The United States delegation has joined in the consensus to adopt the resolution before us, which sets out the modalities of and arrangements to be made for the upcoming Special Commemorative Meeting to celebrate the fiftieth anniversary of the United Nations.

The six special meetings and the other events that will take place in conjunction with the unprecedented gathering of world leaders will truly be an historic occasion. As host country and as host city to the United Nations, the United States Government and the city of New York are honoured to be in a position to welcome Heads of State and Government and are proud to serve as their hosts at several functions to be held in honour of the Commemorative Meeting.

Because of the importance of the Special Commemorative Meeting, we are pleased that the

speaking arrangements were formulated in the spirit of cooperation and now meet the protocol needs of all concerned. We are pleased to have agreed on a revised speakers' list for this occasion on a basis that does not affect the status of observer States or any other observer. These special arrangements have been made in recognition of the unique character of the fiftieth anniversary celebrations and should not be seen as a precedent for any other purpose.

The President (*interpretation from French*): We have heard the last speaker in explanation of position.

We have thus concluded this stage of our consideration of agenda item 44.

Agenda item 164

Election of judges of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Letter from the President of the Security Council (A/49/889)

Memorandum by the Secretary-General (A/49/893)

Curricula vitae (A/49/894)

The President (*interpretation from French*): As members may recall, by its resolution 955 (1994) of 8 November 1994 the Security Council adopted the statute of the International Tribunal for Rwanda.

Pursuant to article 12, paragraph 2 of the statute of the International Tribunal for Rwanda, the members of the Appeals Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 shall also serve as the members of the Appeals Chamber of the International Tribunal for Rwanda.

According to article 12, paragraph 3 of the statute of the International Tribunal for Rwanda, the six judges of the Trial Chambers of the International Tribunal for Rwanda shall be elected by the General Assembly from a list of candidates submitted by the Security Council.

In connection with this election, I should like to bring the following matters to the attention of the General Assembly.

Firstly, at its 3524th meeting, on 24 April 1995, the Security Council, in accordance with article 12, subparagraph 3 (c) of the statute of the International Tribunal for Rwanda, established in resolution 989 (1995) a list of 12 candidates, taking due account of adequate representation of the principal legal systems of the world. The list was formally conveyed to the President of the General Assembly by letter dated 24 April 1995 from the President of the Security Council. The letter was issued as document A/49/889.

Secondly, in accordance with article 12, subparagraph 3 (a) of the statute of the International Tribunal for Rwanda, the Holy See and Switzerland, the two non-Member States which were invited to nominate judges for the Trial Chambers of the International Tribunal for Rwanda, shall participate in the election in the same manner as the States Members of the United Nations. On this occasion, I am happy to welcome here the representatives of the Holy See and Switzerland.

Thirdly, in accordance with article 12, paragraph 5 of the statute of the International Tribunal for Rwanda, the judges shall be elected for a term of four years. They will serve on a full-time basis and therefore cannot engage in any other occupation of a professional nature during their tenure. Moreover, the judges of the International Tribunal for Rwanda will take office, upon two months' notice, shortly before the commencement of trial proceedings. However, they may be convened beforehand for an extraordinary session for the purpose of adopting the rules of procedure and evidence of the International Tribunal for Rwanda.

Finally, I should like to draw the Assembly's attention to the documents relating to the election. The memorandum by the Secretary-General concerning the election of judges of the International Tribunal for Rwanda is contained in document A/49/893. The list of candidates for judges of the Trial Chambers of the International Tribunal for Rwanda is to be found in paragraph 8 of document A/49/893.

The curricula vitae of the candidates are found in document A/49/894. In that connection, I wish to direct

the Assembly's attention to the provision of article 12, paragraph 1 of the statute of the International Tribunal for Rwanda, which reads as follows:

> "The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law." (*S/1994/1168, annex, article 12, para. 1*)

As delegates know, the election of judges will take place in accordance with the relevant provisions of article 12 of the statute of the International Tribunal for Rwanda.

Furthermore, given the similar nature of the election of judges of the International Court of Justice and the election of judges of the Trial Chambers of the International Tribunal for Rwanda, the Secretary-General suggests in his memorandum that the General Assembly proceed in the same manner as it did in the election of the judges of the International Tribunal for the Former Yugoslavia.

May I take it that the Assembly agrees to that suggestion?

I hear no objection.

It was so decided.

The President (*interpretation from French*): In accordance with article 12, subparagraph 3 (d) of the statute of the International Tribunal for Rwanda, the candidates who receive an absolute majority of the votes of States Members of the United Nations and of the non-Member States maintaining permanent observer missions at United Nations Headquarters will be declared elected.

The practice of the United Nations has always been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they take part in the voting. The electors, for this purpose, are all 185 Member States and two non-Member States — the Holy See and Switzerland. Accordingly, 94 votes constitute an absolute majority for the purpose of electing judges of the Trial Chambers of the International Tribunal for Rwanda.

If, in the first ballot, fewer than the required number of candidates obtain an absolute majority, there will be a second ballot, possibly to be followed by other rounds of balloting until the required number of candidates have obtained an absolute majority.

Following the practice in the election of judges of the International Court of Justice, the Secretary-General suggests in his memorandum that, after the first ballot, other rounds of balloting should be unrestricted.

He suggested also that, in accordance with the practice followed in the elections of the judges of the International Court of Justice, if more than the required number of candidates obtain an absolute majority of votes in the first ballot, all candidates will be included in a second ballot and balloting will continue until the exact number of candidates required, and no more, have obtained an absolute majority.

May I take it that the Assembly agrees to the procedures I have just outlined?

I hear no objection.

It was so decided.

The President (*interpretation from French*): I now call on the observer of the Holy See.

Monsignor Mamberti (Holy See) (*interpretation from French*): First of all, I wish to thank you, Mr. President, for your words of welcome to the non-member States that have been called upon to take part in this meeting.

The Holy See followed with anguish and alarm the events that covered Rwanda in blood last year. On many occasions, His Holiness Pope John Paul II has deplored the mindless violence and called for an end to the massacres, which were sometimes even committed in churches, where innocent, unarmed people thought they had found sanctuary.

The Holy See approved of the establishment of the International Criminal Tribunal for Rwanda, which is an expression of the international community's commitment to fighting violations of human rights, and it expressed its support by making a symbolic contribution to the special fund established by the Secretary-General to finance the activities of the Tribunal.

The Holy See appreciates the invitation from the United Nations to join in the appointment of the judges of the Tribunal. None the less, considering its special position and special role in the community of nations, the Holy See does not intend to take active part in choosing the people who will exercise these functions. Consequently, its delegation will abstain in the voting. The General Assembly will recall that the Holy See took the same position when the judges of the International Tribunal for the Former Yugoslavia were elected in September 1993.

The President (*interpretation from French*): We shall now proceed to the election.

The voting process has now begun.

Ballot papers will now be distributed. I request representatives to use only the ballot papers distributed. Only those candidates whose names appear on the ballot papers are eligible. Representatives will indicate the six candidates for whom they wish to vote by placing crosses to the left of the names on the ballot papers. Any ballot paper on which more than six names are marked will be considered invalid. Votes may be cast only for those candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.15 a.m. and resumed at 12.30 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	161
Number of invalid ballots:	0
Number of valid ballots:	161
Abstentions:	2
Number voting:	159
Required majority:	94
Number of votes obtained:	
Ms. Navanethem Pillay	119
Mr. Laïty Kama	94
Mr. T. H. Khan	94
Mr. Yakov A. Ostrovsky	92
Mr. William H. Sekule	88
Mr. Lennart Aspegren	79
Ms. Anne Marie Stoltz	76
Mr. Lloyd G. Williams	76
Mr. Jiří Toman	63
Mr. Edilbert Razafindralambo	57
Mr. Wamulungwe Mainga	53
Mr. Kevin Haugh	26

Having obtained an absolute majority, the following candidates were elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Laïty Kama, Mr. T. H. Khan and Ms. Navanethem Pillay.

The President (*interpretation from French*): The Assembly will have to proceed to a second ballot to fill the three remaining vacancies. In accordance with the decision taken earlier, this ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot papers are eligible. The names of the following three candidates, who have already obtained an absolute majority of votes, have been deleted: Mr. Laïty Kama, Mr. T. H. Khan and Ms. Navanethem Pillay.

Once again, I would remind delegations that the names of only three candidates should be marked with a cross. Any ballot paper on which more than three names are marked will be considered invalid. Votes may be cast only for those candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 12.45 p.m. and resumed at 1.25 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	158
Number of invalid ballots:	6
Number of valid ballots:	152
Abstentions:	2

Number voting:	150
Required majority:	94
Number of votes obtained:	
Mr. Yakov A. Ostrovsky	81
Mr. William H. Sekule	74
Mr. Lennart Aspegren	61
Mr. Lloyd G. Williams	61
Ms. Anne Marie Stoltz	60
Mr. Jiří Toman	33
Mr. Edilbert Razafindralambo	28
Mr. Wamulungwe Mainga	24
Mr. Kevin Haugh	9

The President (*interpretation from French*): No candidate has obtained an absolute majority.

I call on the representative of Ireland.

Mr. Biggar (Ireland): I wish to inform the members present that Mr. Kevin Haugh, the candidate nominated by Ireland, has decided to withdraw from this election in order to facilitate the election of the remaining three judges of the Tribunal.

Both Mr. Haugh and my authorities wish to express their gratitude to those Member States which showed their confidence in him by supporting his election.

The President (*interpretation from French*): The ballot paper for the next round of balloting will reflect the information just provided by the representative of Ireland.

In view of the lateness of the hour, I propose to suspend the meeting until this afternoon.

The meeting was suspended at 1.35 p.m. and resumed at 3.50 p.m.

The President (*interpretation from French*): Since no candidate obtained an absolute majority in the last round of balloting, the Assembly will have to proceed to another ballot to fill the three remaining vacancies. In accordance with the decision taken earlier, that ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible. The names of the following three candidates, who have already obtained an absolute majority of votes, have been deleted: Mr. Laïty Kama, Mr. T. H. Khan and Ms. Navanethem Pillay.

I wish to remind members that the representative of Ireland informed the Assembly this morning that Mr. Kevin Haugh had decided to withdraw his name from the list of candidates. Hence, Mr. Haugh's name has also been deleted from the ballot papers.

I wish to remind delegations once again that the names of only three candidates should be marked with a cross on the ballot papers just distributed. Any ballot paper on which more than three names have been marked will be declared invalid. Votes may be cast only for those whose names that appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 4 p.m. and resumed at 4.35 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	144
Number of invalid ballots:	0
Number of valid ballots:	144
Abstentions:	1
Number voting:	143
Required majority:	94
Number of votes obtained:	
Mr. Yakov A. Ostrovsky	92
Mr. William H. Sekule	89
Mr. Lennart Aspegren	62
Mr. Lloyd G. Williams	58
Ms. Anne Marie Stoltz	53
Mr. Jiří Toman	25
Mr. Edilbert Razafindralambo	18
Mr. Wamulungwe Mainga	14

The President (*interpretation from French*): Once again, no candidate obtained an absolute majority. The Assembly will have to proceed to a further round of balloting.

I call on the representative of Zambia.

Mr. Kasanda (Zambia): On behalf of the Zambian delegation, I should like to inform the Assembly that

Zambia has decided to withdraw its candidature from the remainder of the voting.

I should like to take this opportunity to thank all our supporters for giving us their support throughout the voting, and particularly those who stayed with us up to the end.

The President (*interpretation from French*): A representative has stated that his Government has withdrawn its candidate for election to the Trial Chambers of the International Tribunal for Rwanda. However, the nomination stage is over. Nominations were placed before the Security Council, not the General Assembly.

The Assembly elects not from nominations received, but from the list of candidates established by the Security Council. Thus, it is no longer timely for a government to withdraw a nomination. However, the candidate may himself or herself withdraw from the election and have his or her name removed from the list. A representative may of course announce that his national has decided to withdraw his or her name from the list.

Does the representative of Zambia wish to do so?

Mr. Kasanda (Zambia): With a view to facilitating the voting, in consultation with and on behalf of the candidate, I wish to convey the candidate's instruction that his name be withdrawn from the list of candidates.

The President (*interpretation from French*): I now propose to suspend the meeting briefly while new ballot papers are prepared to reflect the withdrawal of Mr. Wamulungwe Mainga's name from the list of candidates.

The meeting was suspended at 4.45 p.m. and resumed at 5.35 p.m.

The President (*interpretation from French*): I call on the representative of the Czech Republic.

Mr. Kovanda (Czech Republic): First of all, I would like on behalf of my delegation to congratulate, through their respective delegations, Judges Kama, Khan and Pillay on their election. I have been in touch with Mr. Jiří Toman, the candidate offered by the Czech Republic, and in view of the developments in the voting he has authorized me to withdraw his candidature. My delegation is grateful to Mr. Toman for this gesture, which no doubt will accelerate and simplify our work here. But we are most grateful to all the delegations that have been supporting his candidacy; we have been particularly touched by the loyalty of the 24 delegations other than our own that stuck with him through the third round of balloting.

I believe that subsequent ballots should reflect the absence of Mr. Toman as a candidate.

The President (*interpretation from French*): Mr. Jiří Toman's name will be deleted from the ballot papers as has been that of Mr. Wamulungwe Mainga, who, through the representative of Zambia, withdrew his name from the list of candidates earlier this afternoon.

As I informed members before the suspension, the Assembly must now conduct a further round of balloting for the three seats remaining to be filled. In accordance with the decision taken earlier, this will be an unrestricted ballot. Ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible.

Once again, I would remind delegations that the names of only three candidates should be marked with a cross. Any ballot paper on which more than three names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 5.50 p.m. and resumed at 6.40 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	149
Number of invalid ballots:	0
Number of valid ballots:	149
Abstentions:	1
Number voting:	148
Required majority:	94
Number of votes obtained:	
Mr. Yakov A. Ostrovsky	107
Mr. William H. Sekule	103
Mr. Lennart Aspegren	73

Mr. Lloyd G. Williams	58
Ms. Anne Marie Stoltz	54
Mr. Edilbert Razafindralambo	21

Having obtained an absolute majority, the following candidates were elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Ya'ov A. Ostrovsky and Mr. William H. Sekule.

The President (*interpretation from French*): The Assembly will have to proceed to another ballot to fill the remaining vacancy. In accordance with the decision taken earlier, this ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot papers are eligible. The names of the following two candidates, who have just obtained an absolute majority of votes, have been deleted: Mr. Yakov A. Ostrovsky and Mr. William H. Sekule.

Once again, I would remind delegations that only the names of one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 6.55 p.m. and resumed at 7.20 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	136
Number of invalid ballots:	2
Number of valid ballots:	134
Abstentions:	1
Number voting:	133
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	75
Mr. Lloyd G. Williams	30
Ms. Anne Marie Stoltz	23
Mr. Edilbert Razafindralambo	5

The President (*interpretation from French*): No candidate received an absolute majority in this round of balloting. The Assembly must therefore conduct a further round of balloting to fill the remaining vacancy.

In view of the lateness of the hour, I propose to suspend this meeting until tomorrow morning.

The meeting was suspended at 7.25 p.m. on Wednesday, 24 May, and resumed at 11.25 a.m. on Thursday, 25 May.

The President (*interpretation from French*): Members will recall that yesterday the following five candidates were elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term and will take office, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Laïty Kama, Mr. T. H. Khan, Mr. Yakov A. Ostrovsky, Ms. Navanethem Pillay and Mr. William H. Sekule.

In the fifth ballot completed yesterday to fill the remaining seat, again no candidate obtained an absolute majority.

I call on the representative of Norway.

Ms. Jonsvik (Norway): The Permanent Mission of Norway wishes to congratulate the five elected candidates from Bangladesh, the Russian Federation, Senegal, South Africa and Tanzania.

On behalf of the Norwegian candidate, Ms. Anne Marie Stoltz, we wish to convey our appreciation for the support she has received in these elections and to thank all the delegations that voted for her. However, Ms. Stoltz is no longer a candidate for election to the Tribunal, as she has decided to withdraw from the elections in favour of the candidate from Sweden, Mr. Aspegren.

The President (*interpretation from French*): I call now on the representative of Madagascar.

Mr. Ravelomantsoa-Ratsimihah (Madagascar) (*interpretation from French*): In order to facilitate the election process for the International Criminal Tribunal for Rwanda, the delegation of Madagascar wishes to

announce that its candidate has decided to withdraw his candidature. I take this opportunity to thank all the delegations which were kind enough to support our candidate until the most recent round, and to wish good luck to the candidate who is elected by the General Assembly by absolute majority.

The President (*interpretation from French*): Representatives have heard the statements made by the representatives of Norway and Madagascar. The names of Mr. Edilbert Razafindralambo and Ms. Anne Marie Stoltz have been deleted from the ballot papers.

As announced yesterday, the Assembly will have to proceed to another ballot to fill the remaining vacancy. In accordance with the decision taken yesterday, this ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot papers are eligible. I would remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for one of those whose names appear on the ballot papers.

At the invitation of the President, Mr. Maddens (Belgium), Mr. Pacheco (Brazil), Mr. Al-Harthy (Oman) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.35 a.m. and resumed at 12.15 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	135
Number of invalid ballots:	0
Number of valid ballots:	135
Abstentions:	2
Number voting:	133
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	77
Mr. Lloyd G. Williams	56

Once again, in this round of balloting, neither candidate obtained an absolute majority. The Assembly will have to proceed to another ballot to fill the one remaining vacant seat. In accordance with the decision taken earlier, this ballot will be unrestricted.

Ballot papers are being distributed. All candidates whose names appear on the ballot papers are eligible.

Once again, I would remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for those candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Maddens (Belgium), Mr. Pacheco (Brazil), Mr. Al-Harthy (Oman) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 12.30 p.m. and resumed at 12.55 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	135
Number of invalid ballots:	0
Number of valid ballots:	135
Abstentions:	2
Number voting:	133
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	83
Mr. Lloyd G. Williams	50

Once again, in this round of balloting, neither candidate obtained an absolute majority.

Mr. Taylor (Saint Kitts and Nevis): In consultation with our candidate, the delegation of Saint Kitts and Nevis wishes to withdraw the candidature of Justice Lloyd Williams. I would further like to take this opportunity to thank all those delegations that voted for us in this election.

The President (*interpretation from French*): Representatives have heard the statement of the representative of Saint Kitts and Nevis. The name of Mr. Williams will accordingly been deleted from the ballot papers.

The Assembly will have to proceed to another ballot to fill the one remaining vacant seat. In accordance with the decision taken earlier, technically speaking, this ballot will be unrestricted.

Ballot papers will now be distributed. Only the candidate whose name appears on the ballot papers is eligible.

Once again, I would remind delegations that only the name of one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for the candidate whose name appears on the ballot papers.

At the invitation of the President, Mr. Maddens (Belgium), Mr. Pacheco (Brazil), Mr. Al-Harthy (Oman) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	129
Number of invalid ballots:	0
Number of valid ballots:	129
Abstentions:	9
Number voting:	120
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	120

Having obtained an absolute majority, Mr. Lennart Aspegren was elected a member of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings.

The President *(interpretation from French):* Having obtained an absolute majority, the following six candidates have been elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Lennart Aspegren, Mr. Laity Kama, Mr. T. H. Khan, Mr. Yakov A. Ostrovsky, Ms. Navanethem Pillay and Mr. William H. Sekule.

I take this opportunity to congratulate them on behalf of the Assembly and to thank the tellers for their help.

This concludes our consideration of agenda item 164.

The meeting rose at 1.20 p.m.